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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,936	12/30/2003	Brett D. Brewer	306397.01	6684

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MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WA 98052-6399

EXAMINER
RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
2167	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

roks@microsoft.com
ntovar@microsoft.com
a-rydore@microsoft.com

	Application No.	Applicant(s)
	10/749,936	BREWER ET AL.
Office Action Summary	Examiner	Art Unit	
	Susan F. Rayyan	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,10-17,19-21,23-25 and 27-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,10-17,19-21,23-25,27-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April

26, 2007 has been entered.

2.   Claims 1-7, 10-17, 19-21, 23-25, 27-32 are pending.

3.   Claims 8-9, 18, 22,26 are canceled.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-3,6-7,10-12,30-32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent Number 6,564,213 issued to Ruben E. Ortega et al

("Ortega") in view of US 2004/0143564 issued to William Gross et al. ("Gross") in

view of US Patent Application Publication Number 2003/0182463 issued to Jeffery

W. Valk ("Valk").

As per independent claim 1 Ortega teaches:

a) defining one or more query related character patterns that do not include an

explicit indicator of query submission (Figure 2A, Ref.No. 60, user types in SO);

b) monitoring entry of query defining characters by a user to detect entry of a

defined query related character pattern (Figure 2A, displays the autocompletion strings

(refinement options) for "SO") ;

c) providing the user with one or more suggested query refinement options each

time a defined query related character pattern is detected without requiring the user to

provide the explicit indicator of the query submission (Figure 2A, Reference No. 62 ,

autocompletion strings (refinement options), Figure 2A- 2B and column 5, lines 23-36,

Figure 2A displays the autocompletion strings (refinement options) for "SO" and at

Figure 2B the display shows the incrementally updated autocompletion strings

(refinement options) for "SONY" and column 5, lines 46-51, user initiates search

without moving stylus);

changing the defined query related character patterns ... used to provide the user with

updated query results, wherein the query related character patterns (column 2, lines 35-

37, as datasets (defined query related character patterns) are customized for users or

user groups and column 3, lines 42-50 teaches a variety of devices such as PDA and

conventional PCs and column 4, lines 34-44, as downloading new datasets (defined query related character patterns).

Ortega does not explicitly teach providing the user with an updated query result each time a defined query related character is detected without requiring the user to provide the explicit indicator of the query submission. Gross does teach this limitation (paragraph 10, lines 6-11, as immediately after each character in a search sting is entered by the user the user receives immediate feedback and paragraph 13, lines 4-14) to provide immediate feedback and so can decide on the desirability of entering additional search characters. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ortega with providing the user with an updated query result each time a defined query related character is detected without requiring the user to provide the explicit indicator of the query submission to provide immediate feedback and so can decide on the desirability of entering additional search characters (paragraph 181, lines 5-9).

Ortega in view of Gross do not explicitly teach in response to a change in a connection speed at a client-server connection ... to occur more frequently as the connection speed increases. Valk does teach this limitation (paragraph 59, as connection speed limits ability to provide information such as dialup versus high speed and it is desirable to limit the amount of information sent to what is needed to perform complex tasks, can rune quickly even in the most remote locations on low-bandwidth for smaller companies , yet remain robust enough to handle the complicated needs facing multi-billion dollar companies. It would have been obvious to a person of ordinary skill

in the art at the time of the invention to modify the datasets (defined query related

character patterns) of Ortega in view of Gross with in response to a change in a

connection speed at a client-server connection ... to occur more frequently as the

connection speed increases to perform complex tasks, can rune quickly even in the

most remote locations on low-bandwidth for smaller companies , yet remain robust

enough to handle the complicated needs facing multi-billion dollar companies as

described by Valk (paragraph 14, lines 19-26).

As per claim 2, same as claim arguments above and Ortega teaches:

further comprising tracking queries entered by one or more users and adjusting the

suggested query refinement options based on a history of queries previously entered by

the one or more users (column 2, lines 20-24 and column 3, lines 10-12).

As per claim 3, same as claim arguments above and Ortega teaches:

further comprising tracking results selected by one or more users and adjusting the

suggested query refinement options based on a history of results previously selected by

the one or more users (column 2, lines 30-35, most popular items in the database).

As per claim 6, same as claim arguments above and Ortega teaches:

wherein one defined query related character pattern is a string of characters followed by

a space (Figure 2B).

As per claim 7, same as claim arguments above and Ortega teaches:

wherein one query related character pattern is a string of characters followed by a

predefined time delay before additional characters are entered (column 2, lines 20-25).

As per claim 10, same as claim arguments above and Ortega teaches:

further comprising providing a user input that allows the user to adjust the query related

character patterns (Figure 2A Reference 60).

As per claim 11, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an Internet server (column 3, line 25-35).

Claim 12 is rejected based on the same rationale as claim 1.

As per independent claim 30 Ortega teaches:

a) a user input device enabling input of query defining text characters(Figure 2A,

search box, Ref.No. 60);

b) a display (Figure 1);

c) a data content that is searchable (column 2, lines 10-15, searchable database);

a network connection for accessing at least a portion of the data content (column 2,

lines 10-15);

d) a memory in which machine instructions are stored (Figure 1);

e) a processor that is coupled to the user input device, to the display, to the data

content, to the network connection and to the memory, the processor executing the

machine instructions to carry out a plurality of functions (Figure 1), including:

i) defining one or more query related character patterns that do not include

an explicit indicator of query submission (column 2, lines 6-8, generating

autocompletion strings datasets);

ii) monitoring entry of query defining characters by a user to detect entry

of a defined query related character pattern (column 5, lines 27-29, query entered and

suggested autocompletion strings (character pattern) are displayed);

changing the defined query related character patterns (column 2, lines 35-37, as

datasets (defined query related character patterns) are customized for users or user

groups and column 3, lines 42-50 teaches a variety of devices such as PDA and

conventional PCs and column 4, lines 34-44, as downloading new datasets (defined

query related character patterns).

Ortega does not explicitly teach searching the data content and providing the user

with an updated query result when a ... query ... is detected without requiring the user

to provide the explicit indicator of query submission. Gross does teach this limitation

(paragraph 10, lines 6-11, as immediately after each character in a search sting is

entered by the user the user receives immediate feedback and paragraph 13, lines 4-

14) to provide immediate feedback and so can decide on the desirability of entering

additional search characters. It would have been obvious to one of ordinary skill in the

art at the time of the invention to modify Ortega with searching the data content and

providing the user with an updated query result when a ... query ... is detected without

requiring the user to provide the explicit indicator of query submission to provide the

explicit indicator of the query submission to provide immediate feedback and so can

decide on the desirability of entering additional search characters (paragraph 181, lines

5-9).

Ortega in view of Gross do not explicitly teach in response to a change in a

connection speed at a client-server connection. Valk does teach this limitation

(paragraph 59, as connection speed limits ability to provide information such as dialup

versus high speed and it is desirable to limit the amount of information sent to what is

needed to perform complex tasks, can rune quickly even in the most remote locations

on low-bandwidth for smaller companies , yet remain robust enough to handle the

complicated needs facing multi-billion dollar companies. It would have been obvious to

a person of ordinary skill in the art at the time of the invention to modify the datasets

(defined query related character patterns) of Ortega in view of Gross with in response

to a change in a connection speed at a client-server connection to perform complex

tasks, can rune quickly even in the most remote locations on low-bandwidth for smaller

companies , yet remain robust enough to handle the complicated needs facing multi-

billion dollar companies as described by Valk (paragraph 14, lines 19-26).

As per claim 31, same as claim arguments above and Ortega teaches:

wherein the searchable database resides on one or more remote computers and data

used to define the one or more query related character patterns resides on a user

terminal (column 3, lines 5-15, column 4, lines 36-40).

As per claim 32, same as claim arguments above and Ortega teaches:

wherein the data content includes data stored on a user hard drive, data stored on an

intranet server, and data stored on an Internet server(column 3, line 25-35).

Claims 13-15,17, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent Number 6,564,213 issued to Ruben E. Ortega et al ("Ortega") in

view of US 2004/0143564 issued to William Gross et al. ("Gross").

As per independent claim 13 Ortega teaches:

a) providing a user with one or more query refinement options as the user enters

query defining characters(Figure 2A, Reference No. 62 , autocompletion strings

(refinement options), Figure 2A- 2B and column 5, lines 23-36, Figure 2A displays the

autocompletion strings (refinement options) for "SO" and at Figure 2B the display shows

the incrementally updated autocompletion strings (refinement options) for "SONY");

b) detecting entry of a query defining word by the user without requiring a user to

provide an explicit indicator of query submission(Figure 2B, displays results of the

detecting(refinement options) for "SONY" and column 5, lines 46-51, user initiates

search without moving stylus).

Ortega does not explicitly teach providing the user with an updated query results

each time entry of a query defining word is detected without requiring the user to

provide the explicit indicator of the query submission and wherein the query defining

word includes a string of characters followed by a predefined time delay before

additional characters are entered by the user. Gross does teach this limitation

(paragraph 10, lines 6-11, as immediately after each character in a search sting is

entered by the user the user receives immediate feedback and paragraph 13, lines 4-

14) to provide immediate feedback and so can decide on the desirability of entering

additional search characters. It would have been obvious to a person of ordinary skill in

the art at the time of the invention was made to modify Ortega with providing the user

with an updated query result each time entry of a query defining word is detected

without requiring the user to provide the explicit indicator of the query submission and

wherein the query defining word includes a string of characters followed by a predefined

time delay before additional characters are entered by the user to provide immediate

feedback and so can decide on the desirability of entering additional search characters

as described by Gross (paragraph 181, lines 5-9).

As per claim 14, same as claim arguments above and Ortega teaches:

further comprising tracking queries entered by one or more users and adjusting the

suggested query refinement options based on a history of queries previously entered by

the one or more users(column 2, lines 20-24 and column 3, lines 10-12)..

As per claim 15, same as claim arguments above and Ortega teaches:

comprising tracking results selected by one or more users and adjusting the suggested

query refinement options based on a history of results previously selected by the one or

more users(column 2, lines 30-35, most popular items in the database).

As per claim 17, same as claim arguments above and Ortega teaches:

wherein one defined query related character pattern is a string of characters followed by

a space(Figure 2B).

As per claim 19, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an Internet server(column 3, line 25-35).

Claim 20 is rejected based on the same rationale as claim 13.

Claims 21, 23-25, 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over US Patent Number 6,564,213 issued to Ruben E. Ortega et al ("Ortega") in

view of US 2004/0143564 issued to William Gross et al ("Gross") in view of US

Publication Number 2006/0112178 issued to Taylor N. Van Vleet ("Van Vleet").

As per independent claim 21 Ortega teaches:

a) providing a user with auto-complete alternatives as the user enters query

defining characters(Figure 2A, Reference No. 62 , autocompletion strings (refinement

options), Figure 2A- 2B and column 5, lines 23-36, Figure 2A displays the

autocompletion strings (refinement options) for "SO" and at Figure 2B the display shows

the incrementally updated autocompletion strings (refinement options) for "SONY");

b) detecting entry of a completed query defining word by the user (Figure 2B, displays

results of the detecting (refinement options) for "SONY");

d) providing the user with query refinement options related to the query defining

word without requiring the user to provide the explicit indicator of the query submission

(Figure 2B, displays autocompletion strings (refinement options) for "SONY" and

column 5, lines 46-51, user initiates search without moving stylus);

e) determining whether the user selects a provided query refinement option (column 5,

lines 37-40, selecting and submitting the autocompletion strings (selected refinement

option) for searching).

Ortega does not explicitly teach providing the user with a query result list each time a

query defining word is detected without requiring the user to provide the explicit

indicator of query submission and providing the user with an updated query result list

when it is determined that the user has selected a provided query refinement option.

Gross does teach this limitation (paragraph 10, lines 6-11, as immediately after each

character in a search sting is entered by the user the user receives immediate feedback

and paragraph 13, lines 4-14) to provide immediate feedback and so can decide on the

desirability of entering additional search characters. It would have been obvious to a

person of ordinary skill in the art at the time of the invention was made to modify Ortega

with providing the user with a query result list each time a query defining word is

detected without requiring the user to provide the explicit indicator of query submission

and providing the user with an updated query result list when it is determined that the

user has selected a provided query refinement option to provide immediate feedback

and so can decide on the desirability of entering additional search characters as

described by Gross(paragraph 181, lines 5-9).

Ortega and Gross do not explicitly teach providing a visual indicator to the user

each time the updated query result list is provided to the user. Van Vleet does teach this

limitation (paragraph 12,30 and Figure 3, as highlighting the updated search results ,

Figure 3: "new search results since") to personalize search result items. It would have

been obvious to one of ordinary skill in the art at the time of the invention to modify

Ortega in view of Gross with providing a visual indicator to the user each time the

updated query result list is provided to the user to personalize search result items as

described by Van Vleet (paragraph 12).

As per claim 23, same as claim arguments above and Ortega teaches:

wherein the updated query result list includes result listings from a user hard drive, an

intranet server, and an Internet server(column 3, line 25-35).

Claim 24 is rejected based on the same rationale as claim 21.

As per independent claim 25 Ortega teaches:

a) a query entry text box for entering query defining characters (Figure 2A, search box, Ref.No. 60); ,

b) a query refinement option list of user selectable query refinement options(Figure 2A, Reference No. 62 , autocompletion strings (refinement options)) that is incrementally updated as a query is entered into the query entry text box ... (Figure 2A- 2B and column 5, lines 23-36, Figure 2A displays the autocompletion strings (refinement options) for "SO" and at Figure 2B the display shows the incrementally updated autocompletion strings (refinement options) for "SONY", user can initiate search without moving stylus away from the selected string).

Ortega does not explicitly teach a query result list that is incrementally updated as a query is entered into the query box without requiring the user to provide the explicit indicator of the query submission. Gross does teach this limitation (paragraph 10, lines 6-11, as immediately after each character in a search sting is entered by the user the user receives immediate feedback and paragraph 13, lines 4-14) to provide immediate feedback and so can decide on the desirability of entering additional search characters. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ortega with a query result list that is incrementally updated as a query is entered into the query box without requiring the user to provide the explicit indicator of the query submission to provide immediate feedback and so can decide on the desirability of entering additional search characters (paragraph 181, lines 5-9).

Ortega and Gross do not explicitly teach a visual indicator that indicates

when the query result list is updated. Van Vleet does teach this limitation (paragraph

12,30 as highlighting the updated search results , Figure 3: "new search

results since") to personalize search result items. It would have been obvious to a

person of ordinary skill in the art at the time of the invention was made to modify Ortega

in view of Gross with a visual indicator that indicates when the query result list is

updated to personalize search result items as described by Van Vleet (paragraph 12).

As per claim 27, same as claim arguments above and Ortega teaches:

further comprising a user selectable search icon for manually executing a query defined

by characters in the query entry text box (Figure 2A, Ref. No. 66).

As per claim 28, same as claim arguments above and Ortega teaches:

wherein the query refinement option list is semi-transparent (Figure 2A, Ref. No. 62).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega in

view of Gross in view of Valk as applied to claims 1 above and further in view of

US Patent Number 6,006225 issued to Dwayne E. Bowman et al ("Bowman").

As per claim 4, same as claim arguments above and Ortega in view of Gross in view of

Valk do not explicitly teach further comprising tracking results selected by one or more

users and adjusting an order of the updated query result list based on a history of

results previously selected by the one or more users . Bowman does teach this

limitation at column 7, lines 45-50 to produce a successful query result. It would have

been obvious to a person of ordinary skill in the art at the time of the invention was

made to modify Ortega in view of Gross in view of Valk with tracking results selected by

one or more users and adjusting an order of the updated query result list based on a

history of results previously selected by the one or more users to produce a successful

query result as described by Bowman (column 2, lines 44-46).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega et al

in view of Gross in view of Valk as applied to claim 1 above, and further in view of

US Publication Number 2006/0112178 issued to Taylor N. Van Vleet et al ("Van

Vleet").

As per claim 5, same as claim arguments above and Ortega in view of Gross do not

explicitly teach further comprising providing a visual indicator to the user when an

updated query result list is provided to the user. Van Vleet does teach this limitation

(paragraph 12,30 and Figure 3, as highlighting the updated search results , Figure 3:

"new search results since") to personalize search result items. It would have been

obvious to one of ordinary skill in the art at the time of the invention to modify Ortega in

view of Gross with   providing a visual indicator to the user each time the updated query

result list is provided to the user to personalize search result items as described by Van

Vleet (paragraph 12).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega in view of Gross as applied to claim 13 above, and further in view of in view of US Patent Number 6,006225 issued to Dwayne E. Bowman et al ("Bowman").

As per claim 16, same as claim arguments above and Ortega in view of Gross do not explicitly teach tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by the one or more users. Bowman does teach this limitation at column 7, lines 45-50 to produce a successful query result . It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Ortega in view of Gross with tracking results selected by one or more users and adjusting an order of the updated query result list based on a history of results previously selected by one or more users and adjusting an order to produce a successful query result as described by Bowman (column 2, lines 44-46).

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ortega in view of Gross in view Van Vleet as applied to claims 25 above, and further in view of US Patent Application Publication Number 2006/0129915 issued to Ning-Ping Chan ("Chan").

As per claim 29, same as claim arguments above and Ortega in view of Gross in view of Van Vleet do not explicitly teach wherein the query result list is animated for a predetermined period of time after the query result list is updated. Chan does teach this limitation at (paragraph 54, blinking search results) to provide a visual cue. It would

have been obvious to a person of ordinary skill in the art at the time of the invention

was made to modify Ortega in view of Gross in view of Van Vleet with teach wherein the

query result list is animated for a predetermined period of time after the query result list

is updated to provide a visual cue as described by Chan (paragraph 114).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-7, 10-17, 19-21, 23-25, 27-32

have been considered but are moot in view of the new ground(s) of rejection.

JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Contact Information

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan F. Rayyan whose telephone number is 571-272-1675. The examiner can normally be reached on M-F, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SR
5/6/2007